

REMARKS

Applicants have amended their claims in order to further clarify the definition of various aspects of the present invention, so as to facilitate proceedings in connection with the above-identified application. Specifically, Applicants have amended claim 1 by incorporating the subject matter of claim 2 therein; and, correspondingly, have cancelled claim 2 without prejudice or disclaimer, and have amended dependency of claim 3.

The rejection of claims 1 and 5-7 on prior art grounds, as set forth in Item 4 on pages 2-4 of the Office Action mailed August 24, 2005, is noted. Claim 2 has not been rejected on prior art grounds; and, moreover, claim 8 has also not been rejected on prior art grounds. In view of present incorporation of subject matter of claim 2 into claim 1, it is respectfully submitted that the prior art rejection is moot.

The obviousness-type double patenting rejection of claims 1-11, over claims 1-3, 7-12 and 23-28 of U.S. Patent No. 6,667,107, is noted. Also to be noted is the statement by the Examiner that a timely filed Terminal Disclaimer may be used to overcome a double patenting rejection.

In view of the foregoing, and in order to facilitate proceedings in connection with the above-identified application, enclosed please find a Terminal Disclaimer for the above-identified application, with respect to U.S. Patent No. 6,667,107. It is respectfully submitted that this Terminal Disclaimer, including the fee submitted in connection therewith, is in compliance with 37 CFR 1.321(c). In view of the filing of this Terminal Disclaimer, it is respectfully submitted that the double patenting rejection is moot.

The enclosed Terminal Disclaimer is being submitted in order to facilitate proceedings in connection with the above-identified application, so as to achieve earliest possible issuance of a U.S. patent based thereon. The filing of this Terminal

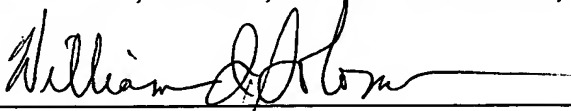
Disclaimer does not constitute agreement with, or an admission as to the propriety of, the obviousness-type double patenting rejection; and does not constitute agreement with , or an admission as to the propriety of, arguments made by the Examiner in connection with the obviousness-type double patenting rejection.

The Examiner is thanked for the indication in Item 7 on page 5 of the Office Action mailed August 24, 2005, that claims 2-4 and 8-11 would be allowable, inter alia, with a timely filed Terminal Disclaimer. In view of the present claim amendments, wherein the subject matter of claims 2 and 8 respectively constitute the subject matter of the independent claims in the application, it is respectfully submitted that the remaining claims in the application should now be allowed. Accordingly, allowance of the remaining claims in the application, and passing of the above-identified application to issue in due course, are respectfully requested.

Applicants request any shortage of fees due in connection with the filing of this paper be charged to the Deposit Account of Antonelli, Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (case 511.41116VX1), and credit any excess payment of fees to such Deposit Account.

Respectfully submitted,

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Attachment: Terminal Disclaimer

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